

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DARRYLE D. HOLMON,

No. C 10-01546 SBA (PR)

Plaintiff,

**ORDER OF DISMISSAL WITHOUT  
PREJUDICE**

v.

MICHAEL HENNESSEY, et al.,

Defendants.

Plaintiff, a state prisoner, filed the present pro se prisoner complaint under 42 U.S.C. § 1983. Plaintiff filed a completed in forma pauperis application; however, he did not file copies of his certificate of funds and prisoner trust account statement. The Clerk of the Court notified Plaintiff that his in forma pauperis application was deficient due to the failure to include a signed certificate of funds and a prisoner trust account statement for the previous six months. The Clerk sent a notice to Plaintiff, informing him that his action could not go forward until he filed the necessary documents within thirty days, and that his failure to do so would result in dismissal of this action. More than thirty days have passed and Plaintiff has not submitted a signed certificate of funds and a prisoner trust account statement.

Accordingly, this action is DISMISSED WITHOUT PREJUDICE. Plaintiff's in forma pauperis application is DENIED as incomplete. The Court has rendered its final decision on this matter; therefore, this Order TERMINATES Plaintiff's case. The Clerk of the Court shall close the file.

This Order terminates Docket no. 2.

IT IS SO ORDERED.

DATED: 6/21/10

  
SAUNDRA BROWN ARMSTRONG  
United States District Judge

1 UNITED STATES DISTRICT COURT  
2 FOR THE  
3 NORTHERN DISTRICT OF CALIFORNIA

4 DARRYLE D. HOLMON,

5 Plaintiff,

6 v.

7 MICHAEL HENNESSEY et al,

8 Defendant.  
9 \_\_\_\_\_/

Case Number: CV10-01546 SBA

**CERTIFICATE OF SERVICE**

10 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District  
11 Court, Northern District of California.

12 That on June 22, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said  
13 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said  
14 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle  
15 located in the Clerk's office.

16 Darryle D. Holmon 10660011  
17 San Francisco County Jail  
18 c/o Prisoner Legal Services  
19 555 7<sup>th</sup> Street  
20 San Francisco, CA 94103

21 Dated: June 22, 2010

22 Richard W. Wieking, Clerk  
23 By: LISA R CLARK, Deputy Clerk  
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